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TREASURY FOR ERIN NEPHEW
INR/RES (RWARNER)

E.O. 12958: DECL: 05/29/2019

TAGS: [PHUM](#) [ECON](#) [EFIN](#) [EAID](#) [SNAR](#) [ASEC](#) [ELAB](#) [PGOVJM](#) [XL](#)

SUBJECT: JAMAICA: MINISTER OF NATIONAL SECURITY PLANS TO
ISSUE RETRACTION REGARDING SUPPORT FOR POLICE ACCUSED OF
MISCONDUCT, BACKS AWAY FROM WAGE FREEZE

REF: A. REF: A. 09 KINGSTON 306

[1](#)B. B. 07 KINGSTON 361

Classified By: CHARGE D'AFFAIRES JAMES T. HEG FOR REASONS 1.4(B and D)

Summary

[1](#)1. (C) In his May 27 address to the Annual Conference of the Jamaica Police Federation (JPF), National Security Minister Dwight Nelson defended police officers accused of official misconduct and promised to recruit lawyers for their defense, eliciting a firestorm of controversy and demands for an apology from a Jamaican human rights group concerned that the Government of Jamaica (GOJ) is sanctioning police brutality and human rights abuses. However, in a May 29 meeting with the British High Commissioner, Nelson promised to retract his inflammatory statements and make clear that police abuse would not be tolerated.

[1](#)2. (U) He also announced that the GOJ would be willing to return to the negotiating table to arrive at a wage agreement. Rank-and-file police officers had threatened to take the GOJ to court over its proposed public sector wage freeze, despite the seven percent wage hike promised the police in September 2008. End Summary.

"Collateral Damage"

[1](#)3. (SBU) Despite the fact that there were 68 fatal shootings by police officers between January and April 2009, Nelson defended such incidents as Qcollateral damagesQ in the GOJQs law enforcement efforts and expressed sympathy for police officers Qhailed before the courts like common criminals.Q The remarks sparked a firestorm of controversy on talk radio the following day, with the NGO Jamaicans for Justice (JFJ) issuing a press release demanding that Nelson issue a retraction and apology, and that Prime Minister Bruce Golding clarify the GOJQs policy and, if necessary, demand NelsonQs resignation. JFJ accused the government of Qfail[ing] to credibly investigate, charge and effectively prosecute those policemen against whom allegations of unlawful conduct are madeQ resulting in Qimpunity for unlawful police actions, increasing distrust of the police...and increasing frustration...at the failure of the Government to protect

them from unlawful actions by the police force.Q

¶4. (U) Ironically, Nelson's comments came the same day that Amnesty International released a damning report on police and security operations, suggesting that many of the 222 alleged police killings in 2008 were in fact unlawful and criticizing GOJ efforts to rein in police impunity, corruption and lack of accountability.

¶5. (C) Charge communicated with U.K. High Commission and Canadian High Commission to coordinate a response to Nelson's statements. A trilateral demarche was considered, but Charge and High Commissioners did not want to appear to be ganging up on Nelson who was already subject to heavy public criticism. It was decided to approach the GOJ from different angles. Charge opted to approach Deputy Prime Minister and Foreign Minister Kenneth Baugh while the U.K. High Commissioner would raise the issue with Nelson. May 29 the British High Commissioner shared with Charge DQAffaires information from his meeting with Minister Nelson. Nelson explained that his rhetoric was an attempt to calm an Q intimidating and hostileQ police federation audience that had been whipped into an antigovernment frenzy by opposition Shadow Minister for National Security Peter Bunting who spoke just prior to Nelson. Nelson further promised to issue a retraction/explanation that illegal use of force by the police against civilians would not be tolerated.

GOJ Reaction

¶6. (C) In a May 29 meeting with Dr. Kenneth Baugh, Minister

for Foreign Affairs and Foreign Trade (Septel), Chargé d'Affaires James Heg expressed concern and unease over Nelson's remarks. The Chargé emphasized that failure on the part of Jamaica to continue to pursue police reform and to hold police officers accountable for abuses might jeopardize a number of operational programs the U.S. currently funds in Jamaica. Minister Baugh shared these concerns and assured the Chargé that GOJ was dealing with the statements internally and that the PM would likely soon issue a clarification as to GOJ policy.

¶7. (C) Separately, Permanent Secretary for the Ministry of Justice, Robert Rainford, stated that he regrets the Minister of National Security's choice of language and agreed that it could be taken as license to the aberrant police officers who come from the Qshoot first, ask questions later school of policing.Q Rainford, who came from the JCF as its former director of Human Resources, believes that the problem is twofold: one, the JCF has not done a good job of making the broader public aware that it is conducting operations in horrific conditions in urban squatter developments where it is truly difficult to know who is the enemy; and two, there unfortunately remain a small number of officers who are not willing to operate in a manner that respects their rules of engagement.

¶8. (C) Rainford stated that the Minister of Justice, Dorothy Lightbourne, continues to have as a top priority the passage of the legislation to create an independent civilian body to investigate police shootings. The bill before parliament -Q QTo Establish the Independent Commission of InvestigationsQ -- should pass in the early days of the next session once it leaves the Senatorial Joint Select Committee. It is Rainford's hope that once this independent body is established, and its investigations are conducted in a transparent fashion, it will become clear which officers are operating beyond the bounds and need to be disciplined, and which are simply unfortunate participants in a terrible accidental shooting of a civilian. (COMMENT: Police shootings and other claims of excessive force are currently investigated by the Jamaica Constabulary Force, Bureau of Special Investigations (BSI). The BSI historically has had a

backlog of cases stretching back years. Police Commissioner Lewin has taken steps to clear this backlog, but the BSI remains understaffed. End Comment.)

"No longer say anything about any wage freeze"

19. (U) PM Golding had announced the public sector wage freeze when his Jamaica Labour Party (JLP) government presented its budget package to Parliament in March, contending that the global recession, declining revenues, and Jamaica's crushing debt burden would render it incapable of honoring the previous pledge. He insisted that public sector workers would either have to accept wage freezes or reduce public sector employment roles by as many as 22,000 workers (Reftel A). However, in his remarks to the convention, Nelson promised the JPF that the PM would no longer say anything about any wage freeze.

10. (SBU) Given that more than half of the national budget is devoted to servicing the debt and GOJ's desire to avoid returning to the IMF for debt restructuring, Golding has few cost-cutting opportunities other than the 21 percent of the budget allocated to public sector salaries. Nevertheless, the public sector wage freeze has sparked intense opposition from the opposition People's National Party (PNP) as well as from several of the strongest public sector groups, including teachers, doctors, nurses, and police.

11. (U) When the JPF subsequently threatened legal and/or industrial action in response, Golding announced that he would not allow the police to bully him into abandoning his position. JPF members were incensed and JPF Chairman Sergeant Raymond Wilson criticized Golding's bluster as distasteful, accusing the PM of having lost focus on issues such as national security.

Comment

12. (C) Nelson's errant comments appeared to signal a backing away from the Golding government's promises to reform the police force. Emboldened by experience with Nelson suggest he is probably telling the truth when he says he got carried away in the face of a hostile crowd. Nelson rose through the JLP ranks as a trade union official and has little law enforcement experience was probably attempting to calm what he saw as an increasingly tense audience. Resorting to such populist rhetoric has historically proven effective for him with trade union audiences. Nelson's comments on wages suggest the GOJ wants to back away from a confrontation with the police union and may be reconsidering its position on public sector wage freezes in favor of public sector job cuts instead. Given Jamaica's current economic instability and continuing robust levels of crime, labor unrest from within the constabulary forces might have dire consequences for civil society and erode public support for Golding's government and its economic policies. However, the loss of 22,000 public sector jobs would only increase Jamaica's already staggering unemployment rate and might exacerbate public concern over social and economic stability.

End Comment.

HEG